

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of)
themselves and all others similarly situated,)

Plaintiffs,)

v.)

U.S. DEPARTMENT OF EDUCATION and)
Suzanne GOLDBERG, in her official capacity as)
Acting Assistant Secretary for Civil Rights,)
U.S. Department of Education,)

Defendants.)

Civil Action No.

**DECLARATION OF VICTORIA
JOY BACON**

I, Victoria Joy Bacon, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am a resident of Rowlett, Texas, located in Dallas County.
3. I attended Lipscomb University in Nashville, Tennessee from August 2017 until December 2020 when I graduated.
4. My mother grew up as the daughter of a Church of Christ preacher. She told me that I needed to go to a Church of Christ college if I was going to have their support for college. My mother had attended Harding University in Arkansas.
5. Lipscomb is a Church of Christ college and was approved by my parents.
6. Lipscomb also offered a law, justice and society degree through the Fred D. Gray Institute for Law, Justice and Society that I was very interested in. I also attended Lipscomb because I had a lot of family living in Tennessee.
7. I took out loans from the U.S. Department of Education to attend Lipscomb. I will be repaying student loans that I took out to enroll in Lipscomb for quite some time.
8. Lipscomb's student handbook statement on sexuality says: "All students should practice the biblical standards of sexual morality. Sexual immorality of any kind is prohibited."
9. I am a gender fluid, nonbinary, trans womxn and I am queer.
10. In high school, I attended a public high school. I was out as gay. A lot of other students at my high school were out about their sexuality and gender identity. My high school was also very racially diverse.

11. I felt unsafe on campus from the first day I moved in. As a result, I initially went back into the closet as a Freshman.
12. I met other queer people at Lipscomb. However, every semester that I was at Lipscomb, I knew at least a queer person of color and a trans person who left the school. There were not many out, queer students to begin with.
13. School officials often said horribly homophobic and transphobic things to me in personal meetings with them. For example, an administrator told me that any event I planned would be considered a gay event and would require a three month approval process. Another administrator said that the school might be able to get some people on board with “the gay thing” but that “trans” was a whole different matter. One of them told me that they might be able to get a club approved if it was only for gay students but that it could not be promoted for trans students. She also deadnamed a trans man on campus and told me that she thought that nobody at the school saw him as a man.
14. These same administrators were later tasked with being the contact point for reporting discriminatory behavior/actions against queer and trans students.
15. I felt like none of the administrators who had the power to make things safe for me were actually safe for me to turn to about the harassment and discrimination I experienced on campus.
16. This personally impacted me. For example, I was going to attend an event on campus but was having some intense dysphoria. I found an outfit that I could wear and that calmed my dysphoria. I then counted the steps between my dorm and that event and asked myself whether I felt safe making that walk. I didn’t feel safe, so I did not make the walk.
17. Eventually, I did come out on campus, and worked to expand the unofficial LGBTQ+ group. However, this made me feel even more unsafe as I was faced with a barrage of hate from administrators and other students. This hate would be overlooked by RAs and RHDs. For example, students frequently used the f** slur, which made me uncomfortable. The RAs did not intervene to stop that language.
18. I also frequently felt in danger of physical harassment from other students.
19. Additionally, I faced constant harmful statements by faculty and others at Lipscomb. For example, the football coach of the high school affiliated with Lipscomb was invited to speak in chapel. His opening line was that God told him to speak about homosexuality. Over the course of thirty minutes or longer, he went on to compare gay men to demon-possessed pedophiles and said that queer people do not deserve the same rights as cishet people.
20. Other queer and trans students and I complained to administrators about the coach’s chapel and how hurtful it was to us. The administrators defended the decision to allow the chapel speaker to continue speaking hateful messages about homosexuality by saying that it would have offended donors if the school had intervened.

21. This experience created a time of intense trauma for me and the queer students on campus.
22. I attempted to establish an official LGBTQ+ group on campus, but the administration rejected this approval, despite the club meeting all requirements. Ultimately, the decision to allow such a group at Lipscomb was put off until after I graduated. I was informed that our club was being treated differently than other clubs because it was for LGBTQ+ students.
23. The same club proposal is currently under review this year.
24. In my sophomore year, I was sexually assaulted while a student at Lipscomb. Lipscomb's culture and rules around sex and sexuality, combined with experiences I had heard from other sexual assault survivors about how Lipscomb had never really helped them when they reported sexual assault, led me to never report the sexual assault I endured.
25. I feel that Lipscomb's policies towards "sexual morality" are left vague so that they can enforce the present policy how and when they feel like it. This puts queer and trans students at risk of punishment and in a state of fear.
26. I have heard directly from another queer student that they were required to attend a form of conversion therapy at Lipscomb because of their sexuality.
27. I have also heard directly from another trans student at Lipscomb that Lipscomb encouraged them to put off medically transitioning.
28. Several other queer, engaged students have told me that Lipscomb encouraged them to put off their queer weddings until after they graduated. These queer students feared having their degrees withheld.
29. I am a taxpayer and do not feel that my taxes should be spent to further the discrimination against me by Lipscomb and other schools.
30. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 26th day of February, 2021.

By Victoria Joy Bacon
Victoria Joy Bacon